

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

FENNER INVESTMENTS, LTD.,

Case No.: 6:08-CV-00273 (LED)

Plaintiff,

v.

HEWLETT-PACKARD COMPANY and  
DELL, INC.

Defendants.

**DEFENDANTS HEWLETT-PACKARD COMPANY AND DELL, INC.'S  
SUPPLEMENTAL TRIAL WITNESS LIST**

Pursuant to Fed. R. Civ. P. 26(a)(3) and the Court's November 25, 2009 Discovery Order, Hewlett Packard Company ("HP") and Dell, Inc. ("Dell") (collectively, "Defendants") hereby submit their Supplemental List of Witnesses for the trial currently scheduled for May 10, 2010.

Defendants reserve the right to supplement and amend the list in light of any order regarding the scope of the trial or in light of any information submitted by Fenner Investments, Ltd. ("Fenner") as part of its pretrial filings or otherwise. Defendants have not listed such additional witnesses as may be required solely for document authentication, or who may be needed for rebuttal purposes. Finally, Defendants reserves their right to call any witness that appears on Fenner Investments, Ltd.'s witness list, and to offer additional testimony by deposition or trial transcript. At this time, Defendants identify the following witnesses that they expect to present at trial and those whom Defendants may call if the need arises:

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
1.	Gerald Amen			X
2.	George Archuleta			X
3.	Karl Auerbach			X
4.	Fred Baker			X
5.	Dwight Barron		X	
6.	Steve Barry			X
7.	Steven M. Bellovin	X		
8.	Len Bosak			X
9.	Robert Braden			X
10.	John Butler			X
11.	Tom Carbajal			X
12.	Christopher Casias			X
13.	Madeleine Alima Colin			X
14.	Antonio Collantes			X
15.	Paul Congdon		X	
16.	Joe Curcio (live or by deposition designation)	X		
17.	Lehi K. Davis			X
18.	Clem DePalma			X
19.	Allison Dew			X
20.	Jay Dombrowski			X
21.	Jason Echols (live or by deposition designation)	X		

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
22.	Justin Estrin			X
23.	Joseph Farrell (live or by deposition designation)	X		
24.	Bob Faulk		X	
25.	Peter R. Fenner (live or by deposition designation)		X	
26.	Jeremy Foland			X
27.	Steve Gillaspy (live or by deposition designation)	X		
28.	Mark Gooch		X	
29.	Darryl Hanson		X	
30.	John Hart		X	
31.	Eric Hayes		X	
32.	Mike Holzer			X
33.	Marc Hubbard			X
34.	Dwight Jaynes			X
35.	Tony Jeffries			X
36.	Brian Jennings			X
37.	Heidi Johnsich			X
38.	Bill Johnson		X	
39.	Stephen Jue			X
40.	Roger Keisling			X
41.	Bryan Kelly			X
42.	Joe Kennedy			X

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
43.	Andre Kindness			X
44.	Bruce LaVigne		X	
45.	Vincent C. Lefebvre			X
46.	Tony Leija		X	
47.	Jon Lewis			X
48.	Bill Lidinsky			X
49.	Marc Lucas			X
50.	Orlando Marquez			X
51.	Jim McCreedy			X
52.	Guy McSwain			X
53.	Duane Mentze			X
54.	Jeffrey Mogul			X
55.	Luis F. Moreira		X	
56.	James J. Nawrocki	X		
57.	David O'Leary			X
58.	Pat Nettles			X
59.	Brian Payne			X
60.	Anthony Peterman		X	
61.	David Pokorney			X
62.	Dr. Narasimha Reddy	X		
63.	John Revell (live or by deposition designation)	X		

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
64.	Mike Roberts			X
65.	Rich Rollins			X
66.	Michael Scriber			X
67.	Michael John ("Mick") Seaman	X		
68.	Laurie Shaw		X	
69.	Dylan Swann			X
70.	Kurt Schneider			X
71.	John A. Shriver (live or by deposition designation)	X		
72.	Brent Soon			X
73.	Dave Sporck			X
74.	Christopher Stidvent			X
75.	William Streeter, Esq.		X	
76.	Wade Sullivan			X
77.	Douglas W. Tsui (live or by deposition designation)	X		
78.	Guy Van Buskirk			X
79.	Kevin Walsh			X
80.	Lynne J. Weber	X		
81.	Corporate representative of Broadcom Corp.		X	
82.	Corporate representative of 4 Eagle Magic, LLC			X
83.	Corporate representative of Cisco Systems, Inc.		X	
84.	Corporate Representative of Microsoft Corp.		X	

Dated: March 17, 2010

Respectfully Submitted,

*/s/*  
*Mark J. Abate*  
*(with permission by Jennifer P. Ainsworth)*  
Mark J. Abate  
New York State Bar No. 2241073  
Ankur P. Parekh  
Charles Wizenfeld  
GOODWIN PROCTER LLP  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018-1405  
Telephone: (212) 813-8800  
Facsimile: (212) 355-3333  
Email: [mabate@goodwinprocter.com](mailto:mabate@goodwinprocter.com)  
Email: [aparekh@goodwinprocter.com](mailto:aparekh@goodwinprocter.com)  
Email: [cwizenfeld@goodwinprocter.com](mailto:cwizenfeld@goodwinprocter.com)

J. Anthony Downs  
Massachusetts State Bar No. 552839  
Lana S. Shiferman  
Massachusetts State Bar No. 645024  
GOODWIN PROCTER LLP  
53 State Street  
Boston, MA 02109  
Telephone: (617) 570-1000  
Facsimile: (617) 523-1231  
E-mail: [jdowns@goodwinprocter.com](mailto:jdowns@goodwinprocter.com)  
E-mail: [lshiferman@goodwinprocter.com](mailto:lshiferman@goodwinprocter.com)

Jennifer Parker Ainsworth  
State Bar Number 00784720  
WILSON, ROBERTSON & CORNELIUS, P.C.  
One American Center  
909 ESE Loop 323, Suite 400  
Tyler, TX 75701  
Telephone: 903-509-5000  
Facsimile: 903-509-5091  
E-mail: [jainsworth@wilsonlawfirm.com](mailto:jainsworth@wilsonlawfirm.com)

*Attorneys for Defendant and Counter-  
Claimant*  
HEWLETT-PACKARD COMPANY

*/s/*  
*Ronald Pabis*  
*(with permission by Jennifer P. Ainsworth)*  
Ronald J. Pabis  
WEIL GOTSHAL & MANGES, LLP  
1300 Eye Street NW, Suite 900  
Washington, DC 20005  
Tel.: (202) 682-7000  
Fax: (202) 857-0940  
Email: [ronald.pabis@weil.com](mailto:ronald.pabis@weil.com)

Jared Bobrow  
Jason D. Kipnis  
WEIL GOTSHAL & MANGES, LLP  
201 Redwood Shores Parkway  
Redwood Shores, CA 94065  
Tel.: (650) 802-3000  
Fax: (650) 802-3100  
Email: [jared.bobrow@weil.com](mailto:jared.bobrow@weil.com)  
Email: [Jason.kipnis@weil.com](mailto:Jason.kipnis@weil.com)

Anish Desai  
WEIL GOTSHAL & MANGES, LLP  
767 Fifth Avenue  
New York, NY 10153  
Tel.: (212) 310-8000  
Fax: (212) 310-8007  
Email: [anish.desai@weil.com](mailto:anish.desai@weil.com)

Michael J. Newton  
State Bar No. 24003844  
ALSTON & BIRD, LLP  
2200 Ross Avenue, Suite 3601  
Dallas, TX 75201  
Tel.: (214) 922-3400  
Fax: (214) 922-3899  
Email: [mike.newton@alston.com](mailto:mike.newton@alston.com)

*ATTORNEYS FOR DEFENDANT  
DELL, INC.*

**Certificate of Service**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service, Local Rule CV-5(a)(3)(A), on this the 17th day of March, 2010.

*/s/ Jennifer Parker Ainsworth*  
Jennifer Parker Ainsworth